

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Keith Parsons,

Case No. 3:12-cv-02300

Plaintiff

v.

ORDER

Neil Turner,

Defendant

Pending before me is the November 19, 2013 Report and Recommendation by Magistrate Judge Greg White in the above-captioned action. Under the relevant statute:

Within fourteen (14) days after being served with a copy of these proposed Findings and Recommendations, any party who wishes to object must file and serve written objections or further appeal is waived.

*United States v. Campbell*, 261 F.3d 628 (6<sup>th</sup> Cir. 2001) (citation omitted); *see also* 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)(2). In this case, the fourteen-day period has elapsed and no objections have been filed.

The failure to file written objections to the Magistrate Judge's Report and Recommendation constitutes a waiver of a determination by the district court of an issue covered in the report.

*Thomas v. Arn*, 728 F.2d 813 (6<sup>th</sup> Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see also United States v. Walters*, 638 F.2d 947 (6<sup>th</sup> Cir. 1981).

Following a review of the Magistrate Judge's Report and Recommendation and in the absence of any objections, I adopt the November 19, 2013 Report and Recommendation in its entirety. Furthermore, I have determined *sua sponte* that a certificate of appealability shall not issue

in this case as an appeal of this decision is not taken in good faith and no grounds exist upon which to grant such relief.

Accordingly, the Petition for Writ of Habeas Corpus (Doc. No. 1) is dismissed with prejudice. Under 28 U.S.C. § 1915(a)(2), an appeal of this decision could not be taken in good faith, therefore, there is no basis on which to issue a certificate of appealability. 28 U.S.C. § 2253; Fed. R. App. P. 22(b).

So Ordered.

s/ Jeffrey J. Helmick  
United States District Judge